

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Robert Theodore Huber
Jean Elizabeth Huber
Debtor(s)

Bankruptcy Case No.: 15-21195-GLT
Issued Per 4/27/2017 proceeding
Chapter: 13
Docket No.: 133 - 129
Concil. Conf.: April 27, 2017 at 03:00 PM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated March 20, 2017 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Apr. 27, 2017 at 03:00 PM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☒ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: A Fee Application is needed if any fee (including retainer) exceeds \$4,000.00 including any fees paid to prior counsel.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

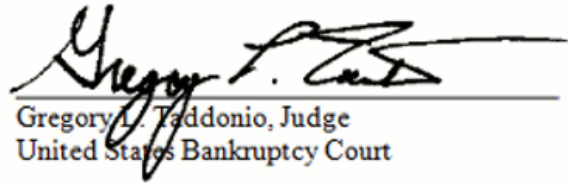
C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

- A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.
- B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).
- C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.
- D.** Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.
- E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.
- F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: May 1, 2017

cc: All Parties in Interest to be served by Clerk in seven (7) days

Imaged Certificate of Notice Page 4 of 5

United States Bankruptcy Court
Western District of PennsylvaniaIn re:
Robert Theodore Huber
Jean Elizabeth Huber
DebtorsCase No. 15-21195-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dbas
Form ID: 149Page 1 of 2
Total Noticed: 29

Date Rcvd: May 01, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 03, 2017.

db/jdb +Robert Theodore Huber, Jean Elizabeth Huber, 21 Huber Road, Bentleyville, PA 15314-1608
 sp +James A. Traficante, 1121 Boyce Road, Ste. 700, Pittsburgh, PA 15241-3937
 cr +Specialized Loan Servicing LLC, 14841 Dallas Parkway Suite 300, Dallas, TX 75254-7883
 14086462 Bank of New York Mellon, c/o Select Portfolio Servicing, Inc., P.O. Box 65250,
 Salt Lake City, UT 84165-0250
 14024213 +Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
 14024215 +Comenitycapital/hlthip, Po Box 182120, Columbus, OH 43218-2120
 14024216 +Countywide Home Loans, P.O. Box 660694, Dallas, TX 75266-0694
 14024217 +++FNB CONSUMER DISCOUNT, 4313 WALNUT ST STE 144, MCKEESPORT PA 15132-6129
 (address filed with court: FNB Consumer Discount, 4313 Walnut Street, Unit 29,
 McKeesport, PA 15132)
 14024222 +Michael McKeever / Bank of New York, 701 Market Street, Suite 5000,
 Philadelphia, PA 19106-1541
 14024223 +Preferred Credit Inc, Po Box 1970, St Cloud, MN 56302-1970
 14024225 +Select Portfolio Servicing, P.O. Box 65250, Salt Lake City, UT 84165-0250
 14085194 +The Bank of New York Mellon Trustee (See B10), c/o Specialized Loan Servicing LLC,
 8742 Lucent Blvd, Suite 300, Highlands Ranch, Colorado 80129-2386
 14024228 ++US BANK, PO BOX 5229, CINCINNATI OH 45201-5229
 (address filed with court: Us Bank, Po Box 108, St Louis, MO 63166)
 14024229 +Us Bank / Moose Lodge, Po Box 108, St Louis, MO 63166-0108

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/Text: bkmailbayview@bayviewloanservicing.com May 02 2017 03:28:08
 Bayview Loan Servicing LLC, 4425 Ponce de Leon Blvd. 5th Floor,
 Coral Gables, FL 33146-1837
 cr +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com May 02 2017 03:19:53
 PRA Receivables Management, LLC, P.O. Box 41067, Norfolk, VA 23541-1067
 14341509 +E-mail/Text: bkmailbayview@bayviewloanservicing.com May 02 2017 03:28:08
 Bayview Loan Servicing, LLC, 4425 Ponce De Leon Blvd. 5th Floor,
 Coral Gables, Florida 33146-1837
 14075914 +E-mail/Text: bankruptcy@caavps.com May 02 2017 03:28:00 Cavalry SPV I, LLC,
 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-1340
 14024218 +E-mail/PDF: gecsedirecoverycorp.com May 02 2017 03:19:47 GECRB/Care Credit,
 Attn: bankruptcy, Po Box 103104, Roswell, GA 30076-9104
 14024219 +E-mail/PDF: gecsedirecoverycorp.com May 02 2017 03:19:45 GECRB/Lowes,
 Attention: Bankruptcy Department, Po Box 103104, Roswell, GA 30076-9104
 14024220 +E-mail/PDF: gecsedirecoverycorp.com May 02 2017 03:20:21 GECRB/Walmart, Attn: Bankruptcy,
 Po Box 103104, Roswell, GA 30076-9104
 14024221 +E-mail/Text: cio.bncmail@irs.gov May 02 2017 03:27:13 Internal Revenue Service,
 P.O. Box 7346, Philadelphia, PA 19101-7346
 14191408 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com May 02 2017 03:20:30
 Portfolio Recovery Associates, LLC, PO Box 41067, Norfolk, VA 23541
 14084073 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com May 02 2017 03:20:30
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
 14057319 E-mail/Text: bnc-quantum@quantum3group.com May 02 2017 03:27:19
 Quantum3 Group LLC as agent for, Comenity Capital Bank, PO Box 788,
 Kirkland, WA 98083-0788
 14024227 E-mail/PDF: cbp@onemainfinancial.com May 02 2017 03:19:46 Springleaf Financial Services,
 198 West Chestnut Street, Washington, PA 15301
 14030391 E-mail/PDF: cbp@onemainfinancial.com May 02 2017 03:20:22 Springleaf Financial Services,
 PO Box 3251, Evansville, IN 47731
 14024224 +E-mail/PDF: gecsedirecoverycorp.com May 02 2017 03:19:46 Sams Club / GEMB,
 Attention: Bankruptcy Department, Po Box 103104, Roswell, GA 30076-9104
 14024226 +E-mail/PDF: cbp@onemainfinancial.com May 02 2017 03:19:46 Springleaf, Po Box 9068,
 Brandon, FL 33509-9068

TOTAL: 15

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Bank of New York Mellon, F/K/A The Bank of New Yor
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 cr The Bank of New York Mellon etal
 14024214* +Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285

TOTALS: 4, * 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

District/off: 0315-2

User: dbas
Form ID: 149

Page 2 of 2
Total Noticed: 29

Date Rcvd: May 01, 2017

***** BYPASSED RECIPIENTS (continued) *****

Addresses marked '++++' were corrected as required by the USPS Locatable Address Conversion System (LACS).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 03, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 1, 2017 at the address(es) listed below:

Britt Alan Freund on behalf of Defendant Rice Drilling B, LLC bfreund@bowlesrice.com
David A. Rice on behalf of Joint Debtor Jean Elizabeth Huber ricelawl@verizon.net,
lowdenscott@gmail.com
David A. Rice on behalf of Debtor Robert Theodore Huber ricelawl@verizon.net,
lowdenscott@gmail.com
James Warmbrodt on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK,
AS TRUSTEE (CWALT 2006-OA21) bkgroup@kmlawgroup.com
Jennifer B. Hagedorn on behalf of Defendant Rice Drilling B, LLC jhagedorn@bowlesrice.com,
lcrown@bowlesrice.com
Jeremy J. Kobeski on behalf of Creditor Bank of New York Mellon, F/K/A The Bank of New York,
et. al. pawb@fedphe.com
Jerome B. Blank on behalf of Creditor Bank of New York Mellon, F/K/A The Bank of New York,
et. al. pawb@fedphe.com
Matthew Christian Waldt on behalf of Creditor Bank of New York Mellon, f/k/a The Bank of New
York, as trustee, on behalf of the holders of the Alternative Loan Trust 2006-OA21, Mortgage
Pass Through Certificates Series 2006-OA21 mwaldt@milsteadlaw.com, bkecf@milsteadlaw.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
Scott R. Lowden on behalf of Plaintiff Jean Elizabeth Huber niclowlgl@comcast.net
Scott R. Lowden on behalf of Plaintiff Robert Theodore Huber niclowlgl@comcast.net
Scott R. Lowden on behalf of Joint Debtor Jean Elizabeth Huber niclowlgl@comcast.net
Scott R. Lowden on behalf of Debtor Robert Theodore Huber niclowlgl@comcast.net
Thomas Song on behalf of Creditor The Bank of New York Mellon etal
thomas.song@phelanhallinan.com

TOTAL: 15